

**COUNCIL CHAMBERS CITY COUNCIL  
CITY HALL - CITY OF LODI  
WEDNESDAY, SEPTEMBER 17, 1947**

This regular meeting of the City Council of the City of Lodi was called to order by the Mayor at 8:15 P.M. of Wednesday, September 17, 1947, Councilmen Haskell, Lytle, Riggs, Tolliver and Rinn present, none absent.

Also attending Chief of Police Fore, Fire Chief Polenske, Assistant City Engineer Heckenlaible, Street and Park Superintendent Bruner and City Engineer Henning.

The minutes of the last meeting held September 3, 1947 were read at length by the Clerk, approved as read and so endorsed by the Mayor.

**PUBLIC HEARINGS -**

**REZONING OF  
LOTS 8 & 9  
BARBOUR-  
BECKMAN TR.  
OPPOSED**

This being the day, place and hour set for the hearing of objections to the proposed rezoning of Lots 8 and 9 in "Barbour-Beckman Tract", due publication of notice of public hearing was proven by affidavit and the Mayor announced that the meeting was now open for the reception of protests. Mr. A. W. Hellburg, 708 South Church Street, presented an attested petition signed by eleven owners of real property along the East side of Church Street and the South side of West Tokay Street reading, "We, the undersigned, request that you do not allow a business establishment to be erected in our residential district, namely at Church and Tokay Streets" Mr. R. F. Barbour, one of the subdividers of the property in which the lots proposed to be rezoned <sup>are located</sup> stated the intentions of the owners as to erecting a market set back from both Church and Tokay Streets and provided with off-street parking space to accommodate its customers. At the direction of the Mayor, all Councilmen agreeing, this petition was referred to the City Clerk for investigation as to the percentage of street frontage represented and report at the next meeting of the City Council.

**REZONING OF  
BLOCK 13  
MOKELUMNE  
ORD. 352  
INTRODUCED**

Proper publication of notice of public hearing being proven by affidavit, a hearing was then had on the proposed rezoning of the West one-half of Block 13, Mokelumne as petitioned for by Otto A. Weihe and as recommended by the City Planning Commission. No persons appearing to object and no written protests having been filed and the Council then having acquired jurisdiction in this matter, ORDINANCE NO. 352 was then introduced on motion of Councilman Tolliver, Lytle second, read by the Clerk and then ordered laid over for the statutory period of not less than five days, said ordinance being entitled "AN ORDINANCE AMENDING ORDINANCE NO. 238 (ZONING ORDINANCE BY ALTERING THE BOUNDARY LINES OF CERTAIN ZONES AS DISPLAYED ON THE "ZONE DISTRICT MAP OF THE CITY OF LODI" AND REZONING AND RECLASSIFYING CERTAIN PROPERTIES IN BLOCK 13, MOKELUMNE (NOW CITY OF LODI)"

**PETITION FOR  
ADOPTION OF  
ELECTRICAL  
CODE  
PRESENTED**

DICK WAGERS, Rt 1, Box 52, Lodi addressed the Council and presented a petition alleged to be signed by Master and Journeymen Electricians in Lodi and its vicinity requesting that the City adopt an "Electrical Code" similar to that recently adopted in Stockton as Ordinance No. 2007. At the direction of Mayor Rinn, this petition and the accompanying draft of the Stockton ordinance was referred to a committee with G. Thomas Killelea, Chairman, Fire Chief Polenske and Building Inspector Heckenlaible from the City of Lodi and three members additional to be selected from the electrical industry in Lodi.

**COMMUNICATIONS -**

**CAINARD SUB.  
WATER & SEWER**

A letter from Mr Robert M. Mullen requesting installation of water and sewer mains in "Cainard Subdivision" was explained by City Engineer Henning. Mr Henning was instructed to proceed with this work as development of the tract warranted as soon as the subdividers had secured all necessary rights of way.

**MOTOR BOAT  
RACES OCT 19  
APPROVED**

Superintendent of Parks W. L. Bruner requested confirmation of the tentative permission granted Lodi Boat Club to stage motor boat races on Lodi Lake, Sunday, October 19, 1947 making charges for admission to the park on that day of \$1.00 for adults and 50¢ to students. Permission granted on motion of

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Councilman Tolliver, Lytle second.

PARK METER  
STANDARDS  
\$ 1 210.00  
INSTALLED

On the estimate of Superintendent Bruner that 550 parking meter standards could be installed at a cost of \$1 210.00 he was authorized to proceed with this work as soon as the meter purchase contract was executed.

PARALLEL  
PARKING ON  
PINE & ELM  
STREETS  
RES. 1363  
ADOPTED

Renewal of discussions as to diagonal and longitudinal parking districts lead to a compromise, Councilmen Tolliver and Lytle favoring leaving down town parking as at present and Councilman Haskell strongly advocating parking parallel to the curb on Pine, Elm, Oak and Walnut Streets in the down-town district; Resolution No. 1363, introduced by Councilman Tolliver, Riggs second, Councilman Haskell concurring and Councilman Lytle dissenting, was then adopted pursuant to the provisions of Ordinance No. 337, rescinding those parts of Resolution No. 1319 of May 14, 1947 conflicting with this Resolution and making parallel parking legal on Pine Street from Washington Street to Pleasant Avenue and on Elm Street from Sacramento Street to Pleasant Avenue.

PARK-O-METER  
CONTRACT  
APPROVED

A contract with Magee-Hale Park-O-Meter Company and Macnick Company for purchase of approximately 550 " Parko-Meter parking meters was approved subject to the approval of the City Attorney as to form, each meter to cost \$57.50. Motion of Councilman Tolliver, Lytle second.

TRACTOR  
LOADER

On application of Street and Park Superintendent Bruner, the City Clerk was directed to advertise for sealed bids to be opened October 15, 1947 for the purchase on one tractor loader, bidders to furnish specifications of the machine proposed.

PROTEST VS  
P.T. & T.  
INCREASE  
IN RATES

A letter from Everett M. Glenn, City Attorney of the City of Sacramento solicited a contribution of \$500.00 toward the cost of presenting a protest against the application of Pacific Telephone & Telegraph Company in its amended application for rate increases No. 26211 before the Public Utilities Commission. The City Clerk was directed to keep in touch with this effort and the matter continued to the October 1 meeting.

RECOMMENDATIONS  
OF CITY PLAN-  
NING COMMISSION

Five recommendations emanating from the City Planning Commission:

- (1) That the rezoning petitioned by Ronald Forsyth and wife affecting properties West of School, South of Locust and East of Pleasant Avenue, be denied, two public hearings having been had thereon at which objectors outnumbered proponents. No further action by the City Council deemed necessary.
- (2) That a variance as to rear yard space be granted to Peter Martella at 209 Flora Street; set for hearing October 1 and notice ordered given.
- (3) That Leslie Mundy be granted permission to add three trailers to the four now permitted at 1235 S. Sacramento Street. Ordered continued pending extension of present permit.
- (4) That the Commission intended granting Dr. Russell O. Spittler a Use Permit to allow the conduct of offices for the practice of Medicine & Surgery at 301 East Oak Street. Issuance approved.
- (5) Complaints of alleged dangerous obstructions to vision at Vine & Garfield Streets and at Hutchins and Pine Street referred to the Chief of Police.

CITY ENG.  
REPORT  
DISCONTIN-  
UED

Clinton Henning, City Engineer, presented his report of activities of his office for the month of August. Report received and on motion of Councilman Lytle, Riggs second, presentation of this report dispensed with, the City Engineer to present reports either on progress or completion of projects underway. Reports of the Superintendent of Streets and Parks and of the City Clerk for August were read and ordered filed. The City Treasurers report for August showing balances, receipts and disbursements was accepted and on showing

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RES 1361 ADOPTED	that the General Fund cash balance was greatly depleted, sale of \$150 000 U. S. Treasury Bonds and the deposit of the proceeds in the General Fund was directed by the adoption of Resolution No. 1361, introduced by Councilman Riggs, Haskell second and carried without dissenting vote.
ANNEXATION OF HOSPITAL ASSON LANDS RES 1359 ADOPTED	In the matter of the annexation of 4.3 acres in Section 2, Township 3, North, Range 6 East as petitioned for by Lodi Memorial Hospital Association on September 3, 1947, the City Clerk presented and read Resolution No. 1359 declaring the intention of the City of Lodi to annex this property and giving notice of the time and place when and where objections could be made to such annexation. Councilman Haskell, Riggs second, then moved the adoption of this resolution and the same was passed and adopted by the following vote: AYES: Councilmen Haskell, Riggs, Lytle, Tolliver and Rinn. NOES: Councilmen, None. ABSENT: None.
RES 1360 VACATE ALLEY ADOPTED	Vacation of the west 30 feet of the alley running east and west between Pine and Elm Streets, west of Rose Street was initiated by the adoption of Resolution No. 1360 introduced by Councilman Riggs, Haskell second and passed by the following vote: AYES: Councilmen, Riggs, Haskell, Lytle, Tolliver and Rinn NOES: Councilmen, None. ABSENT: None.
ACQUISITION OF POLE LINE R/W AUTHORIZED RES. 1362	Resolution No. 1362, A RESOLUTION AUTHORIZING THE CONDEMNATION AND ACQUISITION BY EMINENT DOMAIN OF A RIGHT OF WAY AND EASEMENT FOR THE PURPOSE OF CONSTRUCTING, OPERATING AND MAINTAINING ELECTRIC OVERHEAD POWER LINES, POLES AND APPURTENANCES THERETO, was introduced on motion of Councilman Tolliver, Lytle second, read by the Clerk and explained as to necessity by the City Engineer. This Resolution was then passed and adopted by the following vote: AYES: Councilmen, Tolliver, Lytle, Riggs, Haskell and Rinn. NOES: Councilmen, None. ABSENT: Councilmen, None.
RIGHT OF WAY AGREEMENT WITH C.C.T.CO. APPROVED	An agreement with Central California Traction Company for a right of way under that Company's Mokelumne River trestle to obtain road access to the new "Roma Pump" was approved on motion of Councilman Haskell, Lytle second, and the Mayor then executed the agreement in triplicate.
BUSINESS LICENSES	Business license applications presented September 3rd were allowed excepting that of W. A. Lorenz for Card & Dice Games at 340 N. Cherokee Lane, deferred until the October 1st meeting for further investigation and consideration. License applications filed since September 3rd were read and ordered referred to the Chief of Police.
CLAIMS, 7/22/47	Claims as approved by the Finance Committee in the amount of \$47-693-54 supplementary to payrolls allowed September 3rd were approved for payment on motion of Councilman Riggs, Haskell second.
PURCHASE OF AUTO FOR FIRE CHIEF AUTHORIZED	On motion of Councilman Haskell, Riggs second, the purchase of a special Ford sedan for use of the Chief of the Fire Department was authorized to replace the one now in use which latter car is worn beyond repair.
SW AIRWAYS	The Clerk was directed to acknowledge a letter requesting information as to possible needed air transport needs of the Lodi District from Southwest Airways at the same time informing this Company that the City had been unsuccessful in holding the Kingsbury port.
MOKELUMNE STATE PARK	In the matter of "Mokelumne State Park". Superintendent of Parks Bruner reported on further negotiations with the Division of Parks and Beaches. Mr Bruner stated that the Division required that the City deed Lodi Lake Park to the State as its contribution to the cost of the expanded park and would then lease the park to the City for a term of years for operation. Mr Bruner was directed to notify the Division that the City Council is still interested in this project and

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would entertain further proposals looking forward to incorporating the present park area in a larger unit.

LOT 52  
LODI  
BARNHART

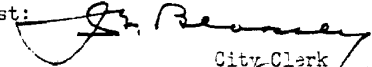
The Clerk was directed to ascertain if John Mettler Jr, owner of Lot 52 of the Lodi Barnhart Tract would entertain a proposal for its acquisition by the City as a park-play ground as it was reported that Mr Mettler contemplated sale of this tract for subdivision.

DEED TO  
EMDE OF  
R/W AND  
1/4 ACRE  
AUTHORIZED

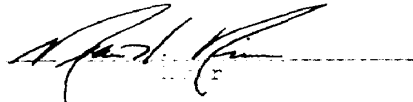
On motion of Councilman Riggs, by the adoption of Resolution 1364 Haskell second, and after explanations from City Engineer Henning and Mayor Rinn, the City Council authorized the sale to George W. Emde and wife of a roadway easement to be used jointly with the City over a strip of land forty feet wide extending along the north line of the City's 305 acre tract in Sections 23 & 24, T3N, R5E and to a parcel of land in the Northeast corner of this tract containing about one-fourth of an acre to be used for a loading corral. A proposal to relinquish the City's right of way to White Slough at the Southwest corner of the above mentioned 305 acre tract and pay Mr Emde \$1 500 for release of the City's obligation to build a levee along the south line of this easement was deferred until members of the City Council could view the location and obtain a better idea of the transaction.

At 12: 50 A.M. of Thursday, September 18, 1947, the City Council adjourned on motion of Councilman Riggs.

Attest:

  
City Clerk

The foregoing minutes of a regular meeting of the City Council of the City of Lodi held September 17, 1947 were read as a subsequent regular meeting of said City Council held on the 1st day of October, 1947 and approved without correction.



Attest: Sept 18, 1947